

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**NETWORKS, SYSTEMS AND METHODS FOR ROUTING DATA TRAFFIC WITHIN A  
TELEPHONE NETWORK BASED ON AVAILABLE RESOURCES**

the specification of which (check one)

  X   is attached hereto  
       was filed on \_\_\_\_\_  
as application Serial No. \_\_\_\_\_  
       and was amended on: \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified, by checking the box below, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Applications |         |                                  | Priority Claimed |    | Copy Attached |    |
|----------------------------|---------|----------------------------------|------------------|----|---------------|----|
| Application Number         | Country | Foreign Filing Date (MM/DD/YYYY) | YES              | NO | YES           | NO |
|                            |         |                                  |                  |    |               |    |
|                            |         |                                  |                  |    |               |    |
|                            |         |                                  |                  |    |               |    |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below and claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:  
Continuation-in-Part

| Parent Application Number | Filing Date | Status<br>(Mark Appropriate Column Below) |         |           |
|---------------------------|-------------|---|---------|-----------|
|                           |             | Patented                                  | Pending | Abandoned |
|                           |             |   |         |           |

Inventor name: Norman Wayne Fleming, James S. Rainwater

Filed:

For: Networks, Systems And Methods For Routing Data Traffic Within A Telephone Network Based On Available Resources

DECLARATION FOR PATENT APPLICATION

As named inventor, I hereby revoke all prior powers and appoint the following attorney(s) and agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| Attorney and/or Agent | Registration No. |
|-----------------------|------------------|
| Charles Y. Lackey     | 22,707           |
| John M. Harrington    | 25,592           |
| Dominic J. Chiantera  | 27,776           |
| John S. Pratt         | 29,476           |
| A. Jose Cortina       | 29,733           |
| James L. Ewing, IV    | 30,630           |
| Roy D. Meredith       | 30,777           |
| Charles W. Calkins    | 31,814           |
| Michael D. Bednarek   | 32,329           |
| George T. Marcou      | 33,014           |
| Dean W. Russell       | 33,452           |
| Richard A. Clegg      | 33,485           |
| Richard T. Peterson   | 35,320           |
| Charles T. Simmons    | 35,359           |

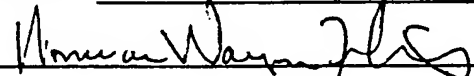
| Attorney and/or Agent | Registration No. |
|-----------------------|------------------|
| Nora M. Tocups        | 35,717           |
| Bruce D. Gray         | 35,799           |
| Theodore R. Harper    | 35,890           |
| Geoff L. Sutcliffe    | 36,348           |
| Marcus Delgado        | 38,122           |
| Nagendra Setty        | 38,300           |
| Mitchell G. Stockwell | 39,389           |
| Michael F. Labbee     | 39,738           |
| Benjamin D. Driscoll  | P41,571          |
| Wilburn L. Chesser    | P41,668          |
| Alana G. Firester     | P41,747          |
| John S. Gardner       | P41,772          |
| James J. Bindseil     | P42,326          |
| Richard H. Lilley     | P42,803          |

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1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309

Direct telephone calls to: Geoff L. Sutcliffe (404) 815-6530

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Norman Wayne Fleming

Inventor's signature  Date August 11, 1998

Residence 3276 Farrington Wood Place, Birmingham, Alabama

Citizenship U.S.A.

Post Office Address 3276 Farrington Wood Place, Birmingham, AL 35243

Inventor name: Norman Wayne Fleming, James S. Rainwater

Filed:

For: Networks, Systems And Methods For Routing Data Traffic Within A Telephone Network Based On Available Resources

DECLARATION FOR PATENT APPLICATION

Full name of second joint inventor James S. Rainwater

Inventor's signature James S. Rainwater Date August 7, 1998

Residence 5537 Heath Row Drive, Birmingham, AL

Citizenship U.S.A.

Post Office Address 5537 Heath Row Drive, Birmingham, AL 35242

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Fleming, Norman Wayne**

Application Serial No.: **09/132,961**

Filed: **August 12, 1998**

For: **NETWORKS, SYSTEMS AND METHODS FOR ROUTING DATA TRAFFIC  
WITHIN A TELEPHONE NETWORK BASED ON AVAILABLE RESOURCES**

Assistant Commissioner for Patents

Washington, D.C. 20231

**CERTIFICATE UNDER 37 C.F.R. §3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

1. The assignee of the entire right, title and interest hereby seeks to take action in the PTO in this matter.

**IDENTIFICATION OF ASSIGNEE**

2. The assignee of this matter is a corporation known as:

***BELLSOUTH INTELLECTUAL PROPERTY CORPORATION***

**PERSON AUTHORIZED TO SIGN**

3. **Jacqueline Gregorski**  
**Vice President, Patent and Trademark Procurement**

4. A chain of title from the inventor(s) to the current assignee is shown below:

a. From: **Norman Wayne Fleming, James S. Rainwater**  
To: **BellSouth Corporation**  
Recorded in PTO: **August 12, 1998 Reel: 9390 Frame: 0808**

b. From: **BellSouth Corporation**  
To: **BellSouth Intellectual Property Group, Inc.**  
Recorded in PTO: **August 12, 1998 Reel: 9670 Frame: 0482**

c. From: **BellSouth Intellectual Property Group, Inc.**  
To: **BellSouth Intellectual Property Corporation**  
Recorded in PTO: **August 12, 1998 Reel: 9678 Frame: 0367**

## DECLARATIONS

5. I, the undersigned, have reviewed all the documents in the chain of title of the

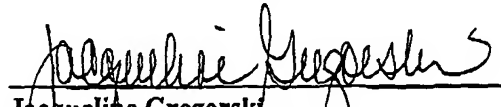
☒  
☐

application  
patent

natter identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7. I, the person signing below, aver that I am empowered to sign this statement on behalf of the assignee.

  
**Jacqueline Gregorski**  
Vice President, Patent and Trademark Procurement  
Be1South Intellectual Property Corporation  
824 Market Street, Suite 901  
Wilmington, DE 19801

Docket No. 190251-1770 (BS97068)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fleming, Norman Wayne, et al.

Application Serial No.: 09/132,961

Filed: August 12, 1998

For: Networks, Systems and Methods for Routing Data Traffic Within a Telephone Network  
Based on Available Resources

Patent No.: N/A

Issue Date: N/A

Commissioner for patents

Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**  
**(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above-identified:



application,



patent

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

I/we hereby appoint all of the following attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

**24504**

I hereby certify that this correspondence is being deposited with the United States Postal Service, as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on \_\_\_\_\_

LOCATION:302 654 2110

RX TIME 04/07 '03 12:39

Direct correspondence and telephone calls to:

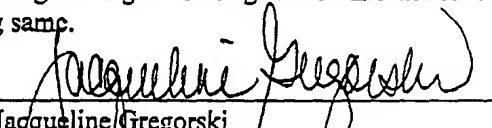
Jeffrey R. Kuester, Esq.  
**THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.**  
100 Galleria Parkway, Suite 1750  
Atlanta, Georgia 30339  
770-933-9500

**ASSIGNEE OF ENTIRE INTEREST**

**BELLSOUTH INTELLECTUAL PROPERTY CORPORATION**  
824 Market Street, Suite 901  
Wilmington, DE 19801

**ASSIGNEE CERTIFICATION**

The certification under 37 C.F.R. §3.73(b) establishing the right of assignee to take action is attached hereto along with documentation evidencing same.

  
Jacqueline Gregorski  
Vice President,  
Patent and Trademark Procurement

Date: 4-7-03

Docket No.: 190251-1770 (BS97068)